

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Cellular Communications Equipment LLC,	§	
	§	
Plaintiff,	§	Civil Action No. 6:14-cv-251
v.	§	
	§	
Apple Inc., <i>et al.</i> ,	§	JURY TRIAL REQUESTED
	§	
Defendants.	§	
	§	
	§	

JOINT STIPULATION REGARDING FIRST AMENDED COMPLAINT

Plaintiff Cellular Communications Equipment, Inc. (“CCE”) and all Defendants, by and through their counsel of record, hereby stipulate as follows:

1. Paragraph 23 of Plaintiff’s First Amended Complaint for Patent Infringement (ECF No. 7) currently states: “Each Defendant has had knowledge of the ’804 patent, at least as early as service of the Original Complaint filed and served in *Cellular Comms. Equip. LLC v. Apple Inc.*, No. 6:14-cv-31 (E.D. Tex. filed Jan. 17, 2013).”

2. CCE hereby agrees it will not rely on the January 17, 2013, filing of the original complaint in Civil Action No. 6:14-cv-31 to substantiate knowledge of the ’804 Patent by each of Apple, AT&T Inc., AT&T Mobility LLC, Verizon Communications, Inc.¹, Cellco Partnership d/b/a Verizon Wireless, Sprint Corporation, Sprint Solutions, Inc., Sprint Spectrum, L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. Rather CCE intends to rely on the April 7, 2014 filing of the original complaint in the present action, Civil Action 6:14-cv-251, for this purpose.

¹ Cellular Communications Equipment LLC’s First Amended Complaint misidentifies Verizon Communications Inc. as Verizon Communications, Inc.

3. With the consent of all Defendants in this action, and in accordance with Fed. R. Civ. P 15(a)(2), CCE shall file concurrently with this Stipulation, its Second Amended Complaint correcting the aforementioned Paragraph 23. All Defendants agree to respond to the Second Amended Complaint by June 4, 2014.

SO STIPULATED BY the parties through their undersigned counsel:

Dated: June 3, 2014

Respectfully submitted,

/s/ Christopher W. Kennerly
Christopher W. Kennerly
TX Bar No. 00795077
chriskennerly@paulhastings.com
Jeffrey G. Randall
CA Bar No. 130811
jeffrandall@paulhastings.com
Paul Hastings LLP
1117 S. California Ave.
Palo Alto, CA 94304-1106
Telephone: (650) 320-1800
Facsimile: (650) 320-1900

S. Christian Platt
CA Bar No. 199318
christianplatt@paulhastings.com
Paul Hastings LLP
4747 Executive Drive
Twelfth Floor
San Diego, CA 92121-3114
Telephone: (858) 458-3034
Facsimile: (858) 458-3134

Attorneys for AT&T Mobility LLC

/s/ Michael E. Jones
Michael E. Jones
State Bar No. 10929400
Patrick C. Clutter, IV
State Bar No. 24036374
mikejones@potterminton.com
patrickclutter@potterminton.com
Potter Minton, P.C.
110 N. College Ave., Suite 500

By: /s/ Edward R. Nelson, III
Edward R. Nelson, III
enelson@nbclaw.net
Texas State Bar No. 00797142
Brent N. Bumgardner
bbumgardner@nbclaw.net
Texas State Bar No. 00795272
Barry J. Bumgardner
barry@nbclaw.net
Texas State Bar No. 00793424
S. Brannon Latimer
blatimer@nbclaw.net
Texas State Bar No. 24060137
Thomas C. Cecil
tcecil@nbclaw.net
Texas State Bar No. 24069489
NELSON BUMGARDNER CASTO, P.C.
3131 West 7th Street, Suite 300
Fort Worth, Texas 76107
Phone: (817) 377-9111
Fax: (817) 377-3485

T. John Ward, Jr.
Texas State Bar No. 00794818
J. Wesley Hill
Texas State Bar No. 24032294
Claire Abernathy Henry
Texas State Bar No. 24053063
WARD & SMITH LAW FIRM
P.O. Box 1231
1127 Judson Rd. Ste. 220
Longview, Texas 75606-1231
(903) 757-6400
(903) 757-2323 (fax)

Tyler, Texas 75702
Tel: (903) 597-8311
Fax: (903) 593-0846

jw@jwfirm.com
wh@wsfirm.com
ch@wsfirm.com

Charles B. Molster, III
Virginia State Bar No. 23613
Thomas M. Dunham
D.C. Bar No. 448407
Corrine M. Saylor
D.C. Bar No. 997638 (Application for
Admission
Pro Hac Vice Pending)
cmolster@winston.com
tdunham@winston.com
csaylor@winston.com
WINSTON & STRAWN LLP
1700 K Street, N.W.
Washington, D.C. 20006-3817
Tel: (202) 282-5000
Fax: (202) 282-5100

***Attorneys for Plaintiff Cellular
Communications Equipment LLC***

**Attorneys for Verizon Communications
Inc. and Cellco Partnership d/b/a/ Verizon
Wireless**

SMITH WEBER, L.L.P.

/s/ Robert W. Weber
Robert W. Weber
Texas State Bar No. 21044800
5505 Plaza Drive
P.O. Box 6167
Texarkana, TX 75505-6167
Tele: (903) 223-5656
Fax: (903) 223-5652
Email: bweber@smithweber.com

and

ROUSE HENDRICKS GERMAN MAY PC

/s/ Mark W. McGrory
Mark W. McGrory (pro hac vice)
1201 Walnut, 20th Floor
Kansas City, MO 64106
Tel: (816) 471-7700

Fax: (816) 471-2221
Email: MarkM@rhgm.com

**Attorneys for Defendants Sprint Solutions,
Inc., Sprint Spectrum L.P., and Boost
Mobile, LLC**

/s/ Melissa R. Smith
Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, LLP
303 S. Washington Ave.
Marshall, TX 75670
Phone: (903) 934-8450
Fax: (903) 934-9257
melissa@gillamsmithlaw.com

**Attorneys for T-Mobile USA, Inc. and T-
Mobile US, Inc.**

Of Counsel:

John C. Hueston
Douglas J. Dixon
IRELL & MANELLA LLP
840 Newport Center Dr., Ste. 840
Newport Beach, CA 92660
Phone: (949) 760-0991
Fax: (949) 760-5200
JHueston@irell.com
DDixon@irell.com

Ellisen S. Turner
Benjamin Haber
IRELL & MANELLA LLP
1800 Avenue of the Stars, Ste. 900
Los Angeles, CA 90067
Phone: (310) 277-1010
Fax: (310) 203-7199
ETurner@irell.com
Bhaber@irell.com

**Attorneys for T-Mobile USA, Inc. and T-
Mobile US, Inc.**

Mark C. Scarsi (admitted Pro Hac Vice)

Miguel Ruiz (admitted Pro Hac Vice)
Ashlee Lin (admitted Pro Hac Vice)
Michael Sheen (admitted Pro Hac Vice)
MILBANK, TWEED, HADLEY & McCLOY
LLP
601 South Figueroa Street, 30th Floor
Los Angeles, CA 90017-5735
Tel: (213) 892-4000
Fax (213) 629-5063
mscarsi@milbank.com
mruiz@milbank.com
ashlee.lin@milbank.com
msheen@milbank.com

Eric Findlay
efindlay@findlaycraft.com
FINDLAY CRAFT PC
102 N. College Avenue
Suite 900
Tyler, TX 75702
Phone: (903) 534-1100
Fax: (903) 534-1137

Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on the 3rd day of June, 2014 per Local Rule CV-5(a)(3).

/s/ Ashlee N. Lin

Ashlee N. Lin